Dafe: October 26, 2005 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Kim Blum	
Name (Print)	

Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CHANO et al. Examiner: Unassigned In re Application of: 10/516,558 Group Art Unit: Unassigned Application No.: November 30, 2004 Confirmation No.: Filed: 2830 3190-070 Docket No.: Customer No.: 33432

For: RB1 GENE INDUCED PROTEIN (RB1CC1) AND GENE

## STATEMENT UNDER 37 C.F.R. § 1.821

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 26, 2005

Sir:

This is a re-submission of the previous Statement Under 37 C.F.R. § 1.821 filed January 25, 2005. The diskette enclosed herewith contains a computer readable form of the Sequence Listing for the above-referenced patent application. The information recorded in computer readable form on the diskette is identical to the written sequences contained in the application as filed. The computer readable form of the sequence listing contained on this diskette is understood to comply with the requirements of 37 C.F.R. § 1.821(f). Also enclosed is a computer print-out of the sequence listing.

It is believed that no fee is required to make this complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925 and please consider this a petition.

Respectfully submitted,

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No. 3190-070 KILYK & BOWERSOX, P.L.L.C. 400 Holiday Court, Suite 102 Warrenton, VA 20186

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